

In The Matter Of:

Stephen Packman

(b) (6), (b) (7)(C)

February 26, 2019



Original File (b) (6), (b) (7)(C).prn

Min-U-Script® with Word Index

THE
ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:) Case #:
Stephen Packman) EPA-R10-2022-001402
_____)

Tuesday

February 26, 2019

INTERVIEW OF (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

APPEARANCES:

On behalf of EPA:

(b) (6), (b) (7)(C)

Also Present:

Greg Goldberg (Holland & Hart)

Joe Teig (Holland & Hart)

I N D E X

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P R O C E E D I N G S

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C) thanks for meeting us today.

(b) (6), (b) (7)(C) Not a problem.

(b) (6), (b) (7)(C) Appreciate it. I'm sure you didn't think you'd be sitting in front of us when you got to work today.

(b) (6), (b) (7)(C) No.

(b) (6), (b) (7)(C) how do you -- how do you -- is it (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) .

(b) (6), (b) (7)(C) How do you spell your last name?

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) All right. Well, we've got the recorders on. And for the record, today is February 26th, 11 o'clock. We're at Mountain Home. Obviously, I'm with EPA. You've seen our ID's.

(b) (6), (b) (7)(C) Mm-hmm.

(b) (6), (b) (7)(C) with EPA CID. Greg Goldberg and Joe Teig with Holland & Hart. (b) (6), (b) (7)(C) , we appreciate you coming in. I just have a few questions. We've been told people want to talk to us. This is your opportunity to speak to us, if you have anything to share. We have some specific questions to ask concerning some documents that are in front of you. We'll

1 get to that. So I'll just start out asking some general
2 questions. And we'll get right to it.

3 (b) (6), (b) (7)(C) Okay.

4 (b) (6), (b) (7)(C) Feel free to share anything that,
5 that you desire.

6 (b) (6), (b) (7)(C) Okay.

7 (b) (6), (b) (7)(C) So tell us about (b) (6), (b) (7)(C)

8 (b) (6), (b) (7)(C)

9 (b) (6), (b) (7)(C) Okay. So (b) (6), (b) (7)(C)

10 (b) (6), (b) (7)(C)

11 (b) (6), (b) (7)(C)

12 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) So how long have

13 (b) (6), (b) (7)(C)

14 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

15 (b) (6), (b) (7)(C) .

16 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

17 (b) (6), (b) (7)(C)

18 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

19 (b) (6), (b) (7)(C) Whoa, (b) (6), (b) (7)(C) .

20 (b) (6), (b) (7)(C) Yeah. (b) (6), (b) (7)(C)

21 (b) (6), (b) (7)(C)

22 (b) (6), (b) (7)(C) Wow. (b) (6), (b) (7)(C)

23 (b) (6), (b) (7)(C) No, no, no. No, (b) (6), (b) (7)(C)

24 (b) (6), (b) (7)(C)

25 (b) (6), (b) (7)(C) Okay. That was a compliment. You

1 (b) (6), (b) (7)(C)

2 (b) (6), (b) (7)(C) Thank you. (b) (6), (b) (7)(C) So I was

3 (b) (6), (b) (7)(C)

4 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) ,

5 (b) (6), (b) (7)(C) .

6 (b) (6), (b) (7)(C) Wow, okay.

7 (b) (6), (b) (7)(C) Working with 18 and 19 year old
8 kids.

9 (b) (6), (b) (7)(C) Yeah. And did you go --(b) (6), (b) (7)(C)

10 (b) (6), (b) (7)(C)

11 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

12 (b) (6), (b) (7)(C)

13 (b) (6), (b) (7)(C)

14 (b) (6), (b) (7)(C) Oh, yeah.

15 (b) (6), (b) (7)(C) And (b) (6), (b) (7)(C) before that.

16 (b) (6), (b) (7)(C) Education?

17 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) .

18 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) . What did you do in

19 (b) (6), (b) (7)(C)

20 (b) (6), (b) (7)(C) I (b) (6), (b) (7)(C)

21 (b) (6), (b) (7)(C) You did?

22 MR. (b) (6), (b) (7)(C) Yeah.

23 (b) (6), (b) (7)(C) Where at?

24 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

25 (b) (6), (b) (7)(C)

1 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) okay.

2 (b) (6), (b) (7)(C) Yeah. (b) (6), (b) (7)(C) ,

3 (b) (6), (b) (7)(C) .

4 (b) (6), (b) (7)(C) Oh. (b) (6), (b) (7)(C)

5 (b) (6), (b) (7)(C) Yeah.

6 (b) (6), (b) (7)(C) Whoa. (b) (6), (b) (7)(C) .

7 (b) (6), (b) (7)(C) .

8 (b) (6), (b) (7)(C) Yeah. (b) (6), (b) (7)(C) --

9 (b) (6), (b) (7)(C) Yeah, no doubt, no doubt.

10 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

11 (b) (6), (b) (7)(C)

12 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

13 (b) (6), (b) (7)(C) Yeah, yeah.

14 (b) (6), (b) (7)(C) Oh, yeah. Come on, (b) (6), (b) (7)(C) whew.

15 (b) (6), (b) (7)(C) And so

16 (b) (6), (b) (7)(C) It sounds

17 like (b) (6), (b) (7)(C)

18 (b) (6), (b) (7)(C)

19 (b) (6), (b) (7)(C) Yeah. So I started out at the

20 (b) (6), (b) (7)(C) . So basically (b) (6), (b) (7)(C)

21 (b) (6), (b) (7)(C) . Then (b) (6), (b) (7)(C)

22 (b) (6), (b) (7)(C)

23 (b) (6), (b) (7)(C)

24 (b) (6), (b) (7)(C)

25 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

1 (b) (6), (b) (7)(C) Yeah.

2 (Phone ringing)

3 (b) (6), (b) (7)(C) Should we get that? Should we ignore
4 it? Ignore it, okay.

5 (b) (6), (b) (7)(C) I don't know where it's coming
6 from. (b) (6), (b) (7)(C)

7 (b) (6), (b) (7)(C) All right.

8 (b) (6), (b) (7)(C) And then once (b) (6), (b) (7)(C)
9 (b) (6), (b) (7)(C)

10 We had just -- (b) (6), (b) (7)(C)

11 (b) (6), (b) (7)(C) . So they were getting ready to

12 (b) (6), (b) (7)(C) . And a (b) (6), (b) (7)(C) at the

13 (b) (6), (b) (7)(C) we call it the

14 (b) (6), (b) (7)(C) . And so (b) (6), (b) (7)(C)

15 and (b) (6), (b) (7)(C) , which I did.

16 And so (b) (6), (b) (7)(C) , just, just a

17 (b) (6), (b) (7)(C) . And the (b) (6), (b) (7)(C)

18 there at the time, who was (b) (6), (b) (7)(C) who was also

19 (b) (6), (b) (7)(C)

20 (b) (6), (b) (7)(C) So it was just (b) (6), (b) (7)(C)

21 (b) (6), (b) (7)(C) .

22 (b) (6), (b) (7)(C) Wow.

23 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) but it

24 (b) (6), (b) (7)(C) .

25 (b) (6), (b) (7)(C) , which I

1 (b) (6), (b) (7)(C) . And then (b) (6), (b) (7)(C)
2 (b) (6), (b) (7)(C) ,
3 I think.
4 (b) (6), (b) (7)(C) Do you know approximately when
5 (b) (6), (b) (7)(C) ?
6 Just approximately.
7 (b) (6), (b) (7)(C) Let's see. (b) (6), (b) (7)(C)
8 (b) (6), (b) (7)(C) So
9 (b) (6), (b) (7)(C) . I'm
10 not quite sure.
11 (b) (6), (b) (7)(C) That's all right. (b) (6), (b) (7)(C)
12 (b) (6), (b) (7)(C) , so I was just kind of putting a (b) (6), (b) (7)(C)
13 (b) (6), (b) (7)(C) . So (b) (6), (b) (7)(C)
14 (b) (6), (b) (7)(C) .
15 (b) (6), (b) (7)(C) Mm-hmm.
16 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) is under
17 (b) (6), (b) (7)(C) ?
18 (b) (6), (b) (7)(C) Yes, sort of. It kind of falls
19 (b) (6), (b) (7)(C) . But I'm not
20 (b) (6), (b) (7)(C) .
21 (b) (6), (b) (7)(C) Okay. So I cut you off. So (b) (6), (b) (7)(C)
22 (b) (6), (b) (7)(C) . Then what?
23 (b) (6), (b) (7)(C) Then (b) (6), (b) (7)(C)
24 (b) (6), (b) (7)(C) , I think it was. So I didn't have any (b) (6), (b) (7)(C)
25 (b) (6), (b) (7)(C) I just (b) (6), (b) (7)(C) to (b) (6), (b) (7)(C) , which I still do

1 (b) (6), (b) (7)(C) .
2 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) -- (b) (6), (b) (7)(C)
3 (b) (6), (b) (7)(C) . What -- tell us
4 about (b) (6), (b) (7)(C)
5 (b) (6), (b) (7)(C) So basically when a (b) (6), (b) (7)(C)
6 (b) (6), (b) (7)(C) , they put it
7 into a folder. They enter all the information into the
8 system. And then once they're done entering that
9 information in the system, they fill out the cover sheet
10 on the profile. So all of the documentation is put in the
11 folder and then that folder (b) (6), (b) (7)(C) .
12 (b) (6), (b) (7)(C) . (b) (6), (b) (7)(C) any of the
13 analyses, MSDSs, any of the data that's provided with that
14 to make sure that (b) (6), (b) (7)(C) permitted to accept that waste, to
15 make sure that the codes are on there properly, they're
16 not missing any UHCs or any, any other information. And
17 if everything is kosher, (b) (6), (b) (7)(C)
18 hand it off to the lab. And then it goes from the lab to
19 (b) (6), (b) (7)(C) which is environmental. And then (b) (6), (b) (7)(C) for final
20 signature.
21 (b) (6), (b) (7)(C) And how many, how many of these would
22 (b) (6), (b) (7)(C) ?
23 (b) (6), (b) (7)(C) Profiles? On average, well, on
24 average (b) (6), (b) (7)(C) do about 120 profiles a month. So 30 days,
25 what is it? (b) (6), (b) (7)(C) .

1 (b) (6), (b) (7)(C) Four or five a day, on average.

2 (b) (6), (b) (7)(C) Yeah.

3 (b) (6), (b) (7)(C) Okay. When it comes to this waste,
4 magnesium fine powder waste, regarding the explosion, tell
5 us about, you know, (b) (6), (b) (7)(C)
6 come in and what did you do?

7 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C). This profile was
8 submitted in 2013. So (b) (6), (b) (7)(C)
9 at the time. So (b) (6), (b) (7)(C) .

10 (b) (6), (b) (7)(C) Who was the (b) (6), (b) (7)(C) at
11 that time?

12 (b) (6), (b) (7)(C)

13 (b) (6), (b) (7)(C) No longer with the company?

14 (b) (6), (b) (7)(C) No. (b) (6), (b) (7)(C) .

15 (b) (6), (b) (7)(C) All right. So (b) (6), (b) (7)(C) hadn't seen this
16 before, so what, what did you do?

17 (b) (6), (b) (7)(C) Yeah. What do you mean what did
18 I do?

19 (b) (6), (b) (7)(C) We've got some letters here that
20 we'll refer to in a minute.

21 (b) (6), (b) (7)(C) Okay.

22 (b) (6), (b) (7)(C) But what would be (b) (6), (b) (7)(C) normal course
23 of business when this waste wants to come in and an

24 (b) (6), (b) (7)(C) --

25 (b) (6), (b) (7)(C) Okay. For this particular waste

1 stream, since it carries a D001 --

2 (b) (6), (b) (7)(C) Yeah.

3 (b) (6), (b) (7)(C) -- and I believe it's also a

4 D003, (b) (6), (b) (7)(C) So permit-wise, (b) (6), (b) (7)(C)

5 permitted to accept it. (b) (6), (b) (7)(C) should be able to treat it

6 according to the codes. But (b) (6), (b) (7)(C) do

7 have -- that (b) (6), (b) (7)(C) do have the capability to treat those

8 particular types of waste streams. So all of those waste

9 streams are normally run by (b) (6), (b) (7)(C) D001, D003.

10 So that's what (b) (6), (b) (7)(C) would have done. (b) (6), (b) (7)(C) would have

11 went to (b) (6), (b) (7)(C) and say, hey, are (b) (6), (b) (7)(C) good with this, can (b) (6), (b) (7)(C)

12 treat it. (b) (6), (b) (7)(C) would have looked it over, said yes. I

13 would have signed off on it. And then it would have went

14 through the normal route.

15 TEIG/GOLDBERG: Just to make sure we're talking

16 apples to apples, are you saying that's what (b) (6), (b) (7)(C) would

17 have done back in 2012 if this came in or are you saying

18 this is kind of what (b) (6), (b) (7)(C) did here?

19 (b) (6), (b) (7)(C) If (b) (6), (b) (7)(C)

20 (b) (6), (b) (7)(C) when this came in, that's --

21 TEIG/GOLDBERG: That's the process (b) (6), (b) (7)(C) would

22 have.

23 (b) (6), (b) (7)(C) -- the process that would have

24 been done.

25 (b) (6), (b) (7)(C) Okay. Let's fast-forward to this

1 waste stream regarding the explosion. What was (b) (6), (b) (7)(C)
2 regarding -- as (b) (6), (b) (7)(C) regarding the
3 waste, and when it came in, and the profile?

4 (b) (6), (b) (7)(C) So basically (b) (6), (b) (7)(C) in this was
5 just sending (b) (6), (b) (7)(C) out to the --

6 (b) (6), (b) (7)(C) And (b) (6), (b) (7)(C) for the record is
7 bottom right-hand corner is Number 1, the title. Tell us
8 about that letter, yeah.

9 (Exhibit 1 identified.)

10 (b) (6), (b) (7)(C) So basically this is what (b) (6), (b)
11 call a recert letter. So if a profile expires, (b) (6), (b) send
12 out a recert letter. And this allows the customer to
13 recertify or attempt to recertify their profile for
14 renewal. This particular letter was marked that the
15 above-listed waste stream and corresponding waste product
16 questionnaire with all current changes and amendments
17 remain the same. So basically they're telling (b) (6), (b) the
18 waste stream didn't, didn't change.

19 So if they marked this that it hasn't changed,
20 it's the same waste, (b) (6) know that when (b) (6), (b) received it the
21 first time (b) (6), (b) didn't have any adverse reactions. Nothing
22 happened. So there was no notes in the profile that, hey,
23 you know, (b) (6), (b) had a smoking waste or the waste reacted
24 poorly.

25 So with that (b) (6), (b) (7)(C) .

1 (b) (6), (b) (7)(C) then sent the customer an approval renewal letter.

2 And --

3 (b) (6), (b) (7)(C) That is for the record as Number 1 in
4 the right hand corner.

5 (b) (6), (b) (7)(C) Number 2, yeah.

6 (Exhibit 2 identified.)

7 (b) (6), (b) (7)(C) Yep.

8 (b) (6), (b) (7)(C) Stating that the waste had been
9 recertified.

10 (b) (6), (b) (7)(C) Did (b) (6), (b) (7)(C) ,
11 telephonic with (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) , the
12 broker of this waste?

13 (b) (6), (b) (7)(C) No. No phone conversations.

14 MR. (b) (6), (b) (7)(C) Any other communication?

15 (b) (6), (b) (7)(C) Email.

16 (b) (6), (b) (7)(C) Email. Tell me about the emails

17 (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C)

18 (b) (6), (b) (7)(C) As far as I can recall, most of
19 the, the email conversations were through (b) (6), (b) (7)(C) and the
20 sales person.

21 (b) (6), (b) (7)(C) Would be who?

22 (b) (6), (b) (7)(C) And the initial
23 email was (b) (6), (b) (7)(C) basically can we recertify this profile, is
24 the pricing the same.

25 (b) (6), (b) (7)(C) Okay.

1 (b) (6), (b) (7)(C) So the price increased I think
2 from like \$2 to \$2.47. I'm not really sure. But I know
3 the price did increase.

4 (b) (6), (b) (7)(C) when you -- people have
5 been using the word profile and you've used it today. (b) (6), (b) (7)(C)

6 (b) (6), (b) (7)(C) -- (b) (6), (b) (7)(C) do about 120 profiles a month.

7 (b) (6), (b) (7)(C) Mm-hmm.

8 (b) (6), (b) (7)(C) When you talk profiles there, is
9 that the same as the generator providing a profile?
10 Because is, is the generator required to provide a profile
11 (b) (6), (b) (7)(C)?

12 (b) (6), (b) (7)(C) In order to get their waste
13 approved?

14 (b) (6), (b) (7)(C) Yes.

15 (b) (6), (b) (7)(C) It's either the generator or
16 their broker will supply --

17 (b) (6), (b) (7)(C) Okay. Either the generator or
18 their broker --

19 (b) (6), (b) (7)(C) Yes.

20 (b) (6), (b) (7)(C) -- provides a profile.

21 (b) (6), (b) (7)(C) Mm-hmm.

22 (b) (6), (b) (7)(C) But you said (b) (6), (b) (7)(C) do 120 profiles.

23 (b) (6), (b) (7)(C) Roughly.

24 (b) (6), (b) (7)(C) I'm confused by that when you say

25 (b) (6), (b) (7)(C) do. The generator or the broker is providing (b) (6), (b) (7)(C) a

1 profile.

2 (b) (6), (b) (7)(C) Mm-hmm. The question was how
3 many profiles (b) (6), (b) (7)(C) . Correct?

4 (b) (6), (b) (7)(C) I guess what I'm trying to get at
5 is are -- is the generator or the broker, when they
6 provide (b) (6), (b) (7)(C) a profile, they're, they're providing (b) (6), (b) (7)(C)
7 paperwork or something that says this is our waste.

8 (b) (6), (b) (7)(C) Yes.

9 (b) (6), (b) (7)(C) And then when (b) (6), (b) (7)(C) approve
10 profiles, (b) (6), (b) (7)(C) approving what they tell (b) (6), (b) (7)(C)

11 (b) (6), (b) (7)(C) Yes.

12 (b) (6), (b) (7)(C) Okay. You're not --

13 (b) (6), (b) (7)(C) Well, no. (b) (6), (b) (7)(C) not approving
14 what they tell (b) (6), (b) (7)(C) approve it based on the information
15 that's on the documents that they supply.

16 (b) (6), (b) (7)(C) Okay, good. Good. I just wanted
17 to make sure that the ownership of, of telling (b) (6), (b) (7)(C)
18 company what they have is on them.

19 (b) (6), (b) (7)(C) Yes. (b) (6), (b) (7)(C) --

20 (b) (6), (b) (7)(C) The generator --

21 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) do not characterize any
22 waste.

23 (b) (6), (b) (7)(C) Right. (b) (6), (b) (7)(C) not redoing a
24 profile.

25 (b) (6), (b) (7)(C) No.

1 (b) (6), (b) (7)(C) Okay. (b) (6), (b) (7)(C) are taking their
2 information either from the generator or the broker and
3 (b) (6), (b) (7)(C) looking at it, and (b) (6), (b) (7)(C) saying, okay, (b) (6), (b) (7)(C) can, (b) (6), (b) (7)(C)
4 (b) (6), (b) (7)(C) .

5 (b) (6), (b) (7)(C) Yes.

6 (b) (6), (b) (7)(C) Okay.

7 (b) (6), (b) (7)(C) Now if (b) (6) see something that's
8 blatantly obvious, like they provide analytical and leads
9 at 76.1 milligrams per liter, TCLP, and they don't have a
10 D00 or A code, (b) (6), (b) (7)(C) . Why doesn't
11 this carry a code.

12 (b) (6), (b) (7)(C) Okay. What's your -- just for,
13 you know, (b) (6), (b) (7)(C) , what is --
14 what's a common generator error that (b) (6), (b) (7)(C) a lot?
15 Common.

16 (b) (6), (b) (7)(C) UHCs. A lot of the so-called
17 brokers that are out there, these are environmental
18 companies, they don't -- it's either them or the
19 generator, because like we see a lot of generators that
20 are mom-and-pop operations.

21 (b) (6), (b) (7)(C) So do we.

22 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) , for one.
23 I just saw that in an email the other day. It's a (b) (6), (b) (7)(C)
24 that has a shop. (b) (6), (b) (7)(C) repairs radiators. (b) (6), (b) (7)(C) doesn't know
25 anything about RCRA. So (b) (6), (b) (7)(C) hires a broker. This broker

1 is supposed to have knowledge of RCRA, TSCA, whatever.
2 And sometimes they are not as knowledge as they should be,
3 because these are the guys that are giving their customer,
4 the generator, information or explaining things to them
5 how it should be profiled.

6 And a lot of times (b) (6), (b) (7)(C) you know, (b) (6), (b) (7)(C) see
7 profiles missing UHC's, boxes not checked when they need
8 to be checked. LDR is a big one for us. (b) (6), (b) (7)(C) see a lot of,
9 especially when (b) (6), (b) (7)(C) receive the waste, LDR is not properly
10 filled out or marked correctly. Those are the two big
11 ones.

12 (b) (6), (b) (7)(C) Okay. Appreciate that. Thank
13 you.

14 (b) (6), (b) (7)(C) Can you give a sense on (b) (6), (b) (7)(C)
15 (b) (6), (b) (7)(C) on (b) (6), (b) (7)(C) would you put them in a category of
16 more sophisticated or less sophisticated broker?

17 (b) (6), (b) (7)(C) I would say more. As far as I
18 know, (b) (6), (b) (7)(C) haven't really had -- I don't think (b) (6), (b) (7)(C) had any
19 discrepancies on this particular waste that came in as far
20 as paperwork goes.

21 (b) (6), (b) (7)(C) So you get these -- appreciate
22 that clarification. (b) (6), (b) (7)(C) . (b) (6), (b) (7)(C)
23 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) . They certify it. Then
24 were does the call go, to (b) (6), (b) (7)(C) or who -- what happens
25 next?

1 (b) (6), (b) (7)(C) That's it, (b) (6), (b) (7)(C) done.

2 (b) (6), (b) (7)(C) So far as you're concerned,

3 (b) (6), (b) (7)(C) done.

4 MR. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) done.

5 (b) (6), (b) (7)(C) Everybody else at (b) (6), (b) (7)(C)
6 turns on their engine and they go to do everything they
7 need to do to treat this waste.

8 (b) (6), (b) (7)(C) Yeah. With the price change, (b) (6), (b)
9 have to send a new pricing addendum and have them sign it.
10 Then that's it.

11 (b) (6), (b) (7)(C) Were you working the day of the
12 explosion?

13 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

14 (b) (6), (b) (7)(C) Post explosion, did (b) (6), (b) (7)(C) or the
15 (b) (6), (b) (7)(C) anybody from (b) (6), (b) (7)(C) anybody contact you?

16 (b) (6), (b) (7)(C) Nobody from (b) (6), (b) (7)(C) contacted me,
17 no. (b) (6), (b) (7)(C) don't have direct communication with generators
18 normally.

19 (b) (6), (b) (7)(C) Okay.

20 (b) (6), (b) (7)(C) The only time that (b) (6), (b) (7)(C) have
21 contact with a generator is if they are the actual
22 customer.

23 (b) (6), (b) (7)(C) Yeah.

24 (b) (6), (b) (7)(C) Or if (b) (6), (b) (7)(C) asked to contact the
25 generator by the customer.

1 (b) (6), (b) (7)(C) Okay.

2 (b) (6), (b) (7)(C) I did have contact with (b) (6), (b) (7)(C)

3 (b) (6), (b) (7)(C) via email.

4 (b) (6), (b) (7)(C) Just email?

5 (b) (6), (b) (7)(C) Yeah.

6 (b) (6), (b) (7)(C) What, what -- how did that go?

7 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) was requesting a copy of
8 the manifest and certificates of disposal.

9 (b) (6), (b) (7)(C) Certificates of disposal?

10 (b) (6), (b) (7)(C) Yeah.

11 (b) (6), (b) (7)(C) Was that odd?

12 (b) (6), (b) (7)(C) After, after an event like that.

13 (b) (6), (b) (7)(C) Well, it hasn't been disposed of.

14 You still have one --

15 (b) (6), (b) (7)(C) Yeah.

16 (b) (6), (b) (7)(C) -- for one thing.

17 (b) (6), (b) (7)(C) Yeah. I mean customers request
18 that all the time, though.

19 (b) (6), (b) (7)(C) Well, sure, if it's --

20 (b) (6), (b) (7)(C) So for waste that's either
21 stabilized, solidified, or anything that requires any type
22 of treatment, (b) (6), (b) (7)(C) have up to a year to treat that waste.

23 And some of our customers don't understand that. (b) (6), (b) (7)(C)
24 receive a shipment --

25 (b) (6), (b) (7)(C) I see.

1 (b) (6), (b) (7)(C) -- on let's say Tuesday.

2 They're requesting CDs on Friday.

3 (b) (6), (b) (7)(C) They're, they're worried about
4 their --

5 (b) (6), (b) (7)(C) Exactly. Because a lot of the
6 customers that (b) (6), (b) (7)(C) deal with, they don't get paid until
7 they provide a certificate of disposal.

8 (b) (6), (b) (7)(C) So they're trying to, trying
9 to --

10 (b) (6), (b) (7)(C) Yeah, yeah.

11 (b) (6), (b) (7)(C) So (b) (6), (b) (7)(C) contacted you via email.
12 Is that right?

13 (b) (6), (b) (7)(C) Yes.

14 (b) (6), (b) (7)(C) And (b) (6), (b) (7)(C) asking for -- (b) (6), (b) (7)(C) and
15 another name, I didn't write it down.

16 (b) (6), (b) (7)(C) was requesting a
17 certificate of disposal and a copy of the manifest.

18 (b) (6), (b) (7)(C) Is (b) (6), (b) (7)(C) with that same company?

19 (b) (6), (b) (7)(C) Yes.

20 (b) (6), (b) (7)(C) How do you spell (b) (6), (b) (7)(C)

21 (b) (6), (b) (7)(C) I believe.

22 (b) (6), (b) (7)(C) Is (b) (6), (b) (7)(C) , do you
23 know?

24 (b) (6), (b) (7)(C) I believe (b) (6), (b) (7)(C) .

25 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) okay.

1 (b) (6), (b) (7)(C) I've never spoken with (b) (6), (b) (7)(C) on
2 the phone, so I don't know. I have spoken with (b) (6), (b) (7)(C)
3 in the past and I do know that (b) (6), (b) (7)(C) is a (b) (6), (b) (7)(C)

4 (b) (6), (b) (7)(C) Okay. Any verbal conversations
5 with these two?

6 (b) (6), (b) (7)(C) No.

7 (b) (6), (b) (7)(C) Did you respond back to them?

8 (b) (6), (b) (7)(C) Yes.

9 (b) (6), (b) (7)(C) Do you remember what you said
10 generally?

11 (b) (6), (b) (7)(C) Generally, basically stating
12 that, that the waste -- we didn't have CDs available and
13 that I wasn't authorized to send a copy of the manifest
14 due to the incident.

15 (b) (6), (b) (7)(C) Due to the incident?

16 (b) (6), (b) (7)(C) Mm-hmm.

17 (b) (6), (b) (7)(C) How did they respond?

18 (b) (6), (b) (7)(C) Okay, thank you, let us know
19 when we can get those. And I believe another request was
20 made sometime in December. And then I contacted (b) (6), (b) (7)(C) and
21 (b) (6), (b) (7)(C) (ph.), I believe.

22 (b) (6), (b) (7)(C) That's the corporate leaders for (b) (6), (b) (7)(C)
23 (b) (6), (b) (7)(C)

24 (b) (6), (b) (7)(C) Yeah, yeah. To make sure it was
25 okay to send a copy of the manifest.

1 (b) (6), (b) (7)(C) Did you do that?

2 (b) (6), (b) (7)(C) I believe I did, yes.

3 (b) (6), (b) (7)(C) Any other communication after that
4 with (b) (6), (b) (7)(C)

5 (b) (6), (b) (7)(C) Invoicing. They were asking
6 about invoicing, if and when (b) (6), (b) (7)(C) were going to invoice the
7 waste.

8 (b) (6), (b) (7)(C) What did you tell them?

9 (b) (6), (b) (7)(C) I believe I contacted (b) (6), (b) (7)(C)
10 again. I forwarded the email to (b) (6), (b) (7)(C) And (b) (6), (b) (7)(C) response
11 was how can (b) (6), (b) (7)(C) invoice the waste if (b) (6), (b) (7)(C) don't know if (b) (6), (b) (7)(C)
12 can treat the rest of what (b) (6), (b) (7)(C) have. So basically that's
13 what I told (b) (6), (b) (7)(C) And that was pretty much the end of
14 that.

15 (b) (6), (b) (7)(C) That was it.

16 (b) (6), (b) (7)(C) Mm-hmm.

17 (b) (6), (b) (7)(C) Any other contact with (b) (6), (b) (7)(C)

18 (b) (6), (b) (7)(C) Not that I'm aware of.

19 (b) (6), (b) (7)(C) Any other contact that (b) (6), (b) (7)(C) had
20 with anybody else at (b) (6), (b) (7)(C)

21 (b) (6), (b) (7)(C) Not that I'm aware of.

22 (b) (6), (b) (7)(C) Do you still have those emails?

23 (b) (6), (b) (7)(C) Yes.

24 (b) (6), (b) (7)(C) Don't get rid of those, of
25 course.

1 (b) (6), (b) (7)(C) No. I have them.

2 (b) (6), (b) (7)(C) It's a pretty tempered response
3 that you had in an email for an explosion that just
4 happened, it seems to me.

5 (b) (6), (b) (7)(C) Oh, don't get me wrong. I was
6 pissed.

7 (b) (6), (b) (7)(C) Yeah. So I mean it's pretty darn
8 tempered and controlled.

9 (b) (6), (b) (7)(C) Yeah, (b) (6), (b) (7)(C) received some --
10 (b) (6), (b) (7)(C) -- excuse me.

11 (b) (6), (b) (7)(C) Do you want some time?

12 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) received some emails with
13 either the customers not knowing what happened or they
14 seem somewhat insensitive to what had happened with
15 requests for copies of documents that (b) (6), (b) (7)(C) did not have
16 access to due to the incident. And trying to explain that
17 to some customers and the responses that I got just -- we
18 lost a guy.

19 (b) (6), (b) (7)(C) Take a break.

20 (Pause.)

21 (b) (6), (b) (7)(C) As I was saying, some of the
22 responses that (b) (6), (b) (7)(C) got was we understand that stuff
23 happened, but we need our documents. And (b) (6), (b) (7)(C) were doing
24 our best to get everything out. And it just -- it just,
25 you know, just kind of pissed you off. But you do what

1 you can. (b) (6), (b) had safety protocol to follow to retrieve
2 certain documents due to the extent of the damages of the
3 buildings. And eventually (b) (6), (b) were able to get everybody
4 that was requesting documents like manifest copies or
5 certificates of disposal prior to the incident. So it's,
6 it's been a bit difficult. But most of our customers have
7 been fairly reasonable. Just a few that, that were a
8 little insensitive.

9 (b) (6), (b) (7)(C) So (b) (6), (b) (7)(C) for
10 a long time. I told another (b) (6), (b) (7)(C) this. I didn't
11 always used to do this, but (b) (6), (b) (7)(C)
12 (b) (6), (b) (7)(C) . (b) (6), (b) (7)(C)
13 (b) (6), (b) (7)(C) . And since taking this job,
14 (b) (6), (b) (7)(C) has always been very good to work with. I've
15 worked with (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) and I've
16 seen (b) (6), (b) (7)(C) on several other investigations. And (b) (6), (b) (7)(C) has
17 always been good.

18 My questions regarding your tempered response
19 were one that because of the incident, when somebody calls
20 me and asks me for that type of documentation, I don't
21 know that I could have been as tempered with my response
22 as you obviously were in the email. And the reason I
23 asked that question is because we follow these facts and
24 we are, of course, interested in just getting the facts,
25 and figuring out what is happening over at the generator.

1 (b) (6), (b) (7)(C) Mm-hmm.

2 (b) (6), (b) (7)(C) And when (b) (6), (b) (7)(C) sent back that
3 tempered response and that there wasn't another email from
4 (b) (6), (b) (7)(C) or that company saying, hey, we want to make this
5 right or, you know, we made a mistake, or -- I'm trying to
6 solicit that type of stuff from you. Like did (b) (6), (b) (7)(C)
7 communicate anything else to you?

8 (b) (6), (b) (7)(C) No.

9 (b) (6), (b) (7)(C) Okay. And those are the only
10 emails that -- and correspondences that you had with (b) (6), (b) (7)(C)
11 And you don't think, you don't know that anybody else had
12 any communication with that broker after that.

13 (b) (6), (b) (7)(C) Not that I'm aware of.

14 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

15 (b) (6), (b) (7)(C), I suppose, with (b) (6), (b) (7)(C)

16 (b) (6), (b) (7)(C) Yeah. Myself or (b) (6), (b) (7)(C)
17 yeah.

18 (b) (6), (b) (7)(C) Have you spoken to (b) (6), (b) (7)(C) about that
19 communication at all?

20 (b) (6), (b) (7)(C) I(b) (6), (b) (7)(C)

21 (b) (6), (b) (7)(C) . So (b) (6), (b) (7)(C) was aware of everything that
22 was going on. I always try to make sure that I have the,
23 the sales person involved --

24 (b) (6), (b) (7)(C) Sure.

25 (b) (6), (b) (7)(C) -- in most of my communication

1 with customers, especially if it involves pricing or
2 anything like that. But this was a special circumstance
3 and I definitely -- I believe that I (b) (6), (b) (7)(C)
4 (b) (6), (b) (7)(C) .

5 (b) (6), (b) (7)(C) Okay.

6 (b) (6), (b) (7)(C) Are you aware of any
7 conversations (b) (6), (b) (7)(C) , might have had in greater
8 depth with (b) (6), (b) (7)(C)

9 (b) (6), (b) (7)(C) No.

10 (b) (6), (b) (7)(C) No, okay.

11 (b) (6), (b) (7)(C) I don't have any questions.

12 (b) (6), (b) (7)(C) I don't have any more questions.

13 I want to recognize, (b) (6), (b) (7)(C) that this is a big deal. And
14 we appreciate your willingness to come in and talk. And
15 we don't minimize that at all. Thank you.

16 (b) (6), (b) (7)(C) Thank you.

17 (End of Interview)

18 CERTIFICATION

19 I, (b) (6), (b) (7)(C) court approved transcriber,
20 certify that the foregoing is a correct transcript from
21 the official electronic sound recording of the proceedings
22 in the above-entitled matter.

23

24 (b) (6), (b) (7)(C) 05/01/2023

25 Burke Court Reporting & Transcription

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